

SAIC0008-C0N1  
Serial No. 10760,472

6

PATENT

**REMARKS**

Claims 33, 36-45 are pending in this application. Claims 33 and 42 have been amended. No new matter has been added. Claims 33, 34, 36-49 are rejected as follows: claims 33 and 42 are rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1, 6, and 8 of U.S. Patent No. 6,701,314 ("the '314 patent"); claims 33 and 36-45 are rejected under 35 U.S.C. 101; claims 33 and 42 are rejected under 35 U.S.C. 112, second paragraph; claims 33, 36-40 and 42-45 are rejected under 35 U.S.C §103(a) as being unpatentable over U.S. Patent Number 6,182,066 to Marques ("Marques") in view of U.S. Patent Number 6,151,624 to Teare et al. ("Teare"); claim 41 is rejected under 35 U.S.C §103(a) as being unpatentable over Marques and Teare as applied to claim 33 and further in view of U.S. Patent No. 6,301,579 B1 to Becker ("Becker"). In view of the amendments and remarks presented herein, the undersigned respectfully traverses these rejections as set forth below.

**Rejection of Claims 33 and 42 – Non-Statutory Double Patenting over Claims 1, 6 and 8 of US Patent No. 6,701,314**

A terminal disclaimer will be provided to obviate this rejection once all other rejections have been overcome.

**Rejection of Claims 33 and 36-45 under 35 USC 101**

Initially, the undersigned submits that there is no authority to support the Office's contention that in order to meet the statutory subject matter requirement under 35 USC 101, the claim must recite one of the practical utilities specifically recited in a section of the specification. So long as the claim language is supported by the written description, which it is, and the subject matter of the claim meets the 101 requirements for utility, which it does, the requirements for utility are met. Further, the undersigned disagrees with the Office's statement that "cataloguing

US2000 9894560.1

SAIC0008-C00N1

7

PATENT

Serial No. 10/760,472

the documents in an integrated library” does not produce a tangible result. The tangible result is the cataloguing of documents --- which is clearly NOT an abstract concept, but rather a result having real world value. Nevertheless, the undersigned has amended independent claims 33 and 42 to include the following language “to facilitate document search and retrieval capabilities” in order to expedite prosecution.

**Rejection of Claims 33 and 42 under 35 U.S.C. 112, second para.**

The undersigned submits that the Office is misinterpreting the claims language. There is antecedent basis for “the metadata” since metadata is defined the previous limitation, “creating metadata...”. The “meta-index” is meant to describe where the documents are catalogued in the integrate library. Said another way, the documents are catalogued in a meta-index in an integrated library according to the metadata. Nevertheless, the undersigned has amended claims 33 and 42 to more clearly present the intended meaning. Accordingly, the undersigned respectfully submits that the claims do meet the requirements for antecedent basis under 35 USC 112.

**Rejection of Claims 33, 36-40 and 42-45 Under 35 U.S.C. §103(a)**

Claims 33, 34, 36-40 and 42-49 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Number 6,182,066 to Marques (“Marques”) in view of U.S. Patent No. 6,151,624 to Teare et al. (“Teare”). The Office states on Page 7 of the non-final Office Action that Marques does not teach or suggest the “computing device....” or “creating metadata....” language of independent claims 33 and 42. The Office cites Teare for these teachings.

Teare provides an indexing service to paying customers, i.e., owners of Web Servers, whereby Teare facilitates the creation of resource Name Files based on information provided by

US2000 9894550.1

SAIC0008-C0N1

8

PATENT

Serial No. 10/760,472

the paying customers about their resources, e.g., Web Pages, such as URL, real name, language, etc. These Name Files are stored both by the indexing service provider and at the customer Web Server under a randomly generated name so that only the customer and the indexing service can make changes to the underlying resource information. This allows the indexing service to update resource information associated with each Name File if/when it is changed by the paying customer. Accordingly, users who have access to the indexing service and are looking for a particular resource by real name, can be directed to the appropriate location, e.g., URL, for that resource.

The undersigned submits that in view of the amendments to claims 33 and 42, Teare does not operate on catalogued documents as per the limitations prior to "computing device...." or "creating meta data...." and does not store metadata that includes keywords, one or more matched words or classmark in a pre-defined data structure. Teare has no regard for the status of the documents as being previously catalogued in accordance with keyword matching and classification as described in the preceding limitations of claims 33 and 42. Accordingly, the undersigned submits that the combination of Marques and Teare does not render the claims obvious.

**Rejection of Claim 41 Under 35 U.S.C. §103(a)**

Claim 41 is rejected under 35 U.S.C. §103(a) as being unpatentable over Marques and Teare as applied to claim 33 and further in view of U.S. Patent No. 6,301,579 B1 to Becker ("Becker"). For at least the reasons set forth in the preceding section, the undersigned representative request the rejection of claim 41 be reconsidered and withdrawn.

SAIC0008-CON1  
Serial No. 10760,472

9

PATENT

**CONCLUSION**

The undersigned believes that the pending claims are allowable over the cited prior art and respectfully requests a notice of allowance to this effect. Should the Examiner determine that any further action is necessary to place this application into better form, the Examiner is encouraged to telephone the undersigned representative at the number listed below. In addition, if any additional fees are required in connection with the filing of this response, the Commissioner is hereby authorized to charge the same to Deposit Account No. 501458.

Respectfully submitted,

Date: April 4, 2007  
KILPATRICK STOCKTON LLP  
607 14<sup>th</sup> Street, N.W.  
Suite 900  
Washington, DC 20005-2018  
(202) 508-5889  
(202) 585-0041 fax

By: /Dawn-Marie Bey - #44,442/  
Dawn-Marie Bey  
Registration No. 44,442